

Abstracts

“Punishment’s Twin”: Theorizing Prisoner Reentry for a Politics of Abolition

Renée Byrd

Each year, approximately 700,000 people are released from prison. Prisoner reentry has emerged as an object of knowledge and intervention in profound new ways over the last decade. The immediate survival needs of people released from prison are vital issues for building the prison abolitionist movement. However, an uncritical acceptance of the seemingly benign notions of prisoner reentry circulating in mainstream criminology and corrections warrants caution. Prisoner reentry initiatives can be read as the latest installment in a long history of reformist reforms, which have expanded the punishment system and strengthened the legitimacy of the contemporary prison. The author argues that prisoner reentry must be grounded in a politics of abolition if it is to undermine the conditions of mass imprisonment’s emergence.

Keywords: prisoner reentry, prison abolition

The Problem of Explanation: Understanding the Scandal of Judicial Override in Capital Cases

Paul Kaplan, Kerry Dunn, and Shannon Jackson

In this article, the authors analyze the intertwined problems of judgment and explanation through a comprehensive study of judicial override opinions. Of the 33 states that employ capital punishment, three—Alabama, Delaware, and Florida—are unusual in that the final decision on the death sentence is made by the trial judge after a sentence recommendation from the jury (rather than ultimately by the jury, as in all other death penalty states). Although capital statutes in these states have passed constitutional muster, they remain controversial because in approximately 220 cases trial judges have overridden jury recommendations for life and sentenced defendants to death. These states require the judge to write a sentencing opinion explaining his or her findings on aggravation and mitigation. Unlike any other arena in the legal landscape of America’s death penalty, judge-overridden death sentences require something close to an explanation of the judgment. This study analyzes the total population of these opinions to study the problems of judgment and explanation by tracing the metaphysical, moral, and ideological aspects of what judges say when sentencing persons to death.

Keywords: death penalty, judicial role, criminal sentencing

*Brazil Recognizes the Right to Self-Determination for African Descendants:
Is It a Path the United States Could Follow?*

Ruth Needleman

Brazil and the United States had the largest slave populations in the hemisphere, and, as a result, comparable institutionalized racism and inequalities. At least until the recent “congressional coup” and move to impeach President Dilma Rousseff, Brazil had taken major steps to face its heritage of genocide. Under the Workers’ Party governments (2003–2014), Brazil has adopted national quota systems and antipoverty programs aimed at reducing inequality and opening opportunities for education, health care, and housing. In addition, geography, history and culture led to very different migration patterns for African descendants in Brazil, where thousands of black fugitive slave communities (*quilombos*) arose, and still exist. They have now won rights to their historic lands, giving them autonomy and the right to self-determination. How can cities like Ferguson or Detroit learn from Brazil?

Keywords: racism, African Americans, Brazil, *quilombos*, self-determination

*Rights and Reintegrating Deported Migrants for National Development:
The Jamaican Model*

Bernard Headley and Dragon Milovanovic

In May 2014, 32 international scholars in law, human rights, philosophy, and the social sciences met in conference at Boston College to fine tune a 33-article Convention, drafted by the College’s Law School Post-Deportation Human Rights Project, on the rights of forcibly expelled and/or deported persons. The Convention’s purpose was to reaffirm that all persons, including deported persons, and persons undergoing deportation proceedings, “are entitled to due process of law, equal treatment, freedom from discrimination, and the protection of their human rights and fundamental freedoms under the Charter of the United Nations, the Universal Declaration of Human Rights, and other widely accepted regional and international human rights instruments.” Once finalized, the Convention is to be submitted to state governments that deport large numbers of persons, as well as to governments that receive such persons. The expectation is that the Convention will become part of state policy. The emphasis here is on affirming the rights of deported persons to full reintegration in receiving “home” countries. The article discusses in considerable detail the work of a deported migrants’ organization in Jamaica.

Keywords: deportee, deported migrants, human rights, reintegration, development, Jamaica

*The Mass Incarceration of Nations and the Global War on Drugs:
Comparing the United States' Domestic and Foreign Drug Policies*

Daniel Patten

This article offers an overview of the current domestic war on drugs in the United States and the subsequent mass incarceration of individuals. The domestic and foreign drug policy fronts are compared by focusing on Plan Colombia. The cornerstone argument is that a “global war on drugs” is occurring with very similar characteristics to the domestic war on drugs. However, entire countries are being incarcerated in the wake of the “global war on drugs,” with much larger implications.

Keywords: drug war, imperialism, state crime, mass incarceration, Plan Colombia, US military, narcoterrorism

*Book Review: Patrice McSherry, Chilean New Song: The Political Power
of Music, 1960s–1973*

Steven Volk

McSherry’s analysis opens the door to a reconsideration of political formation during the Popular Unity years, an essential historiographic contribution.

Keywords: book review, hegemony, Allende, Nueva Canción, Chile